

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DAMOND D. HERRINGTON,

Petitioner

-vs-

ALLEN LAZAROFF, Warden,

Respondent.

: CASE NO. 5:12 CV 01005
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: ORDER ADOPTING THE
: MAGISTRATE JUDGE'S REPORT AND
: RECOMMENDATION
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UNITED STATES DISTRICT JUDGE LESLEY WELLS

Pursuant to Local Rule 72.2(b)(2), the instant petition for the writ of habeas corpus was referred to United States Magistrate Judge Kathleen B. Burke for preparation of a report and recommendation ("R&R"). On 26 March 2015, the Magistrate Judge issued an R&R recommending that the petitioner's claims in Grounds One through Seven be denied and that his claims in Grounds Eight and Nine be dismissed. The petitioner's timely objections to the magistrate judge's R&R are now before the Court.

This Court, having reviewed de novo those portions of the R&R to which the petitioner specifically objects, pursuant to Local Rule 72.3(b) and 28 U.S.C. § 636(b)(1),

concludes that the petitioner's objections are without merit and that the R&R is without error. The R&R is accordingly adopted in its entirety. Therefore, for the reasons stated in the R&R, Mr. Herrington's Petition for the Writ of Habeas Corpus is denied in part and dismissed in part. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal from this decision could not be taken in good faith, and that no basis exists upon which to issue a certificate of appealability pursuant to 28 U.S.C. § 2253(c) and Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE

Date: June 11, 2015